



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs

State Board of Dentistry

124 Halsey Street, 6th Floor, Newark, NJ 07102

VIA CERTIFIED (RRR) AND REGULAR MAIL



JOHN J. HOFFMAN
Acting Attorney General

ERIC T. KANEFSKY
Director

October 23, 2013

Uyen Bui, D.M.D.
Ocean Dental Associates
1201 Route 37 East
Toms River, NJ 08753

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 11-15-13 *MA*

Mailing Address:

P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

Re: Settlement Letter in Lieu of Formal Disciplinary
Proceedings in Complaints:
89056 - Patient N.W.

Dear Dr. Bui:

The New Jersey State Board of Dentistry received your responses dated September 18, 2013 to a settlement letter dated August 8, 2013. The Board reviewed this response at a recent meeting and directed me to respond to you on its behalf.

Please be advised that after reviewing the records available, the Board determined to sustain the terms of the settlement letter, completion of seven (7) hours of remedial continuing education, and providing restitution to the patient in the amount of \$995. The board notes that the patient records support the Board's determination.

Enclosed, please find a copy of the settlement letter, which has only been changed to reflect the date of October 23, 2013. Please review the letter, sign the acknowledgment page, and return it to the board office within fifteen (15) days. If no response is received from you by Friday, November 15, 2013, the offer will be deemed rejected, and the Board will re-review the full patient file, including all of the financial documents to determine if disciplinary action is warranted. Such action could include fines and penalties, and may result in disciplinary action taken against your license.

Thank you for your anticipated cooperation in resolving this matter.

Sincerely,

STATE BOARD OF DENTISTRY

Jonathan Eisenmenger
Jonathan Eisenmenger
Executive Director

Enclosure



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Re: Settlement Letter in Lieu of Formal Disciplinary
Proceedings in Complaints:
89056 - Patient N.W.

Dear Dr. Bui:

This letter is to advise you that the New Jersey State Board of Dentistry completed its review of information concerning the above captioned complainants. Specifically, the information reviewed included:

1. The patient's complaint;
2. A copy of your response, including patient treatment and financial records, and other office records;
3. Other available information about the patient's condition.

Based upon the review of these matters, the Board has determined that you have engaged in the following actions which constitute violations of the Board's statutes and regulations:

1. **Diagnosis and Treatment planning** - The patient record failed to contain adequate periodontal evaluation on which to base treatment, and that there was inadequate space to place the crown on #7, and inadequate posterior occlusion.

This failure to properly plan the treatment may constitute acts of negligence sufficient to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, and avoid the initiation of formal disciplinary proceedings, should you agree to the following:

1. Provide the patient with restitution in the total amount of \$995 which represents that amount paid for the endodontic treatment, post and core, and crown placed on tooth #7.

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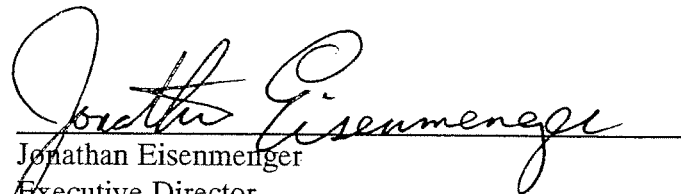
2. Complete a total of seven (7) hours of remedial continuing education in diagnosis and treatment planning.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The restitution should be paid by a check or money order made payable to the patient and submitted to the Board office. Continuing education course work is to be completed in addition to the credits you must complete for the renewal of your dental license. You should be aware that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Nancy Costello Miller, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Sincerely,
NEW JERSEY STATE BOARD OF DENTISTRY


Jonathan Eisenmenger
Executive Director

cc: Swang Oo, Deputy Attorney General

ACKNOWLEDGMENT: I, Uyen Bui, D.M.D., have read and reviewed the settlement proposal set forth in this settlement letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to comply with the directives noted. I will:

1. Provide the patient with restitution in the total amount of \$995 which represents that amount paid for the endodontic treatment, post and core, and crown placed on tooth #7.
2. Complete a total of seven (7) hours of remedial continuing education in diagnosis and treatment planning within three months of signing this acknowledgment. I understand that these credits are in addition to the courses I must complete for the renewal of my dental license.

11 - 13 - 13
Date

Uyen Bui
Uyen Bui, D.M.D.

NOV 1 2013